

**CLAIM OF
BENEFICIAL USE
for Transfer with Multiple
Changes – Surface Water and
Groundwater**



Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, Oregon 97301-1266
(503) 986-0900
www.oregon.gov/OWRD

A fee of \$230 must accompany this form for any Transfer final orders including a water right with a priority date of July 9, 1987, or later.

Example – A transfer involves 5 rights and one of the rights has a priority date of July 9, 1987, or later, the fee is required.

A separate form shall be completed for each transfer.

This form is subject to revision. **Begin each new claim** by checking for a new version of this form at:
<https://www.oregon.gov/OWRD/Forms/Pages/default.aspx>

The completion of this form is required by OAR 690-014-0100(1) and 690-014-0110(4).

Please type or print in dark ink. If this form is found to contain errors or omissions, it may be returned to you. **Every item must have a response.** If any requested information does not apply to the claim, insert "NA." **Do not delete or alter any section of this form unless directed by the form.** The Department may require the submittal of additional information from any water user or authorized agent.

"Section 7" of this form is intended to aid in the completion of this form and should not be submitted.\

A claim of beneficial use includes both this report and a map. If the map is being mailed separately from this form, please include a note with this form indicating such.

If you have questions regarding the completion of this form, please call 503-979-9103.

The Department has a program that allows it to enter into a voluntary agreement with an applicant for expedited services. Under such an agreement, the applicant pays the cost to hire additional staff that would not otherwise be available. This program means a certificate may be issued in about a month. For more information on this program see:

<https://www.oregon.gov/OWRD/programs/WaterRights/RA/Pages/default.aspx>

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SECTION 1

GENERAL INFORMATION

Type of Authorized Change

This Claim is being submitted for a transfer involving multiple changes.

YES

Mark all that apply:

- | | |
|--|--|
| 1. <input type="checkbox"/> Change in POD(s) or Additional POD(s) | 4. <input type="checkbox"/> Change in Character of Use |
| 2. <input checked="" type="checkbox"/> Change in POA(s) or Additional POA(s) | 5. <input type="checkbox"/> Change in Character of Use – Reservoir |
| 3. <input checked="" type="checkbox"/> Change in Place of Use | |

A separate section will be completed for each type of change authorized in the transfer final order.

1. File Information

APPLICATION # T-13424

2. Property Owner (current owner information)

APPLICANT/BUSINESS NAME Joseph Harter, Susan Harter, Andrew Harter, and Kerry Harter		PHONE NO. 760-578-9965	ADDITIONAL CONTACT NO.	
ADDRESS 10902 Swan Lake Rd.				
CITY Klamath Falls	STATE OR	ZIP 97603	E-MAIL haymkrs@gmail.com	

If the current property owner is not the transfer holder of record, it is recommended that an assignment be filed with the Department. ***Each transfer holder of record must sign this form.***

3. Transfer holder of record (this may, or may not, be the current property owner)

TRANSFER HOLDER OF RECORD Same as above		
ADDRESS		
CITY	STATE	ZIP

4. Date of Site Inspection:

6/30/2022

5. Person(s) interviewed and description of their association with the project:

NAME	DATE	ASSOCIATION WITH THE PROJECT
Joseph Harter	6/30/2022	Owner

6. County:

Klamath

7. If any property described in the place of use of the transfer final order is excluded from this report, identify the owner of record for that property (ORS 537.230(5)):

OWNER OF RECORD		
ADDRESS		
CITY	STATE	ZIP

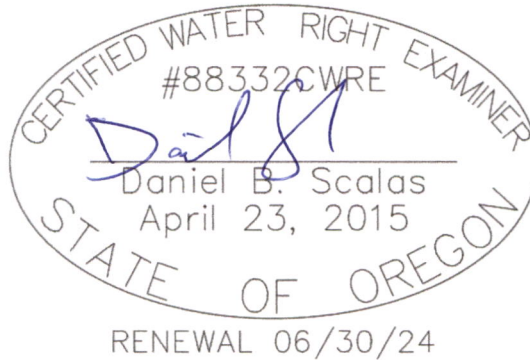
Add additional tables for owners of record as needed

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**SECTION 2
SIGNATURES**

CWRE Statement, Seal and Signature

The facts contained in this Claim of Beneficial Use are true and correct to the best of my knowledge.



CWRE NAME Daniel B. Scalas		PHONE NO. 541-884-4666	ADDITIONAL CONTACT NO.
ADDRESS 1435 Esplanade Ave.			
CITY Klamath Falls	STATE OR	ZIP 97601	E-MAIL dscalas@adkinsengineering.com

Transfer Holder of Record Signature or Acknowledgement

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Each transfer holder of record must sign this form in the space provided below.

The facts contained in this Claim of Beneficial Use are true and correct to the best of my knowledge. I request that the Department issue a water right certificate.

SIGNATURE	PRINT OR TYPE NAME	TITLE	DATE
	Joseph Harter	Owner	9-14-2022
	Susan Harter	Owner	9-14-2022
	Andrew Harter	Owner	9/12/22
	Kerry Harter	Owner	9/12/22

SECTION 3

Changes Made

Note: The Claim only needs to describe the changes that were authorized in the transfer final order.

Change #1

New or Additional Point of Diversion

Change in POD(s) or Additional POD(s)

Did the transfer order authorize a change in the points of diversion or additional points of diversion?

NO

Change #2

Change in POA(s) or Additional POA(s)

Did the transfer order authorize a change in the points of appropriation or additional points of appropriation?

YES

1. New or additional point of appropriation name or number:

POINT OF APPROPRIATION (POA) NAME OR NUMBER (CORRESPOND TO MAP)	WELL LOG ID # FOR ALL WORK PERFORMED ON THE WELL (IF APPLICABLE)	WELL TAG # (IF APPLICABLE)	SOURCE (IF LISTED IN TRANSFER FINAL ORDER)
Well 2	KLAM 50445	8646	Swan Lake Basin
Well 3	KLAM 10082	N/A	Swan Lake Basin

Attach each well log available for the well (include the log for the original well and any subsequent alterations, reconstructions, or deepenings)

2. Variations:

Was the use developed differently from what was authorized by the transfer final order, or extension final?

NO

If yes, describe below.

(e.g. "The order allowed three new/additional points of appropriation. The water user only developed one of the points.")

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3. Claim Summary:

NEW OR ADDITIONAL POA NAME OR #	MAXIMUM RATE AUTHORIZED	CALCULATED THEORETICAL RATE BASED ON SYSTEM	AMOUNT OF WATER MEASURED
Well 2	0.32 CFS	3.48 CFS	N/A
Well 3	0.32 CFS	5.30 CFS	N/A

System Description

Are there multiple new or additional Points of Appropriation (POA)? **YES**

POA Name or Number this section describes (only needed if there is more than one):

Well 2 (KLAM 50445)

A. POA System Information

Provide the following information concerning the point of appropriation. Information provided must describe the equipment used to appropriate water from the point of appropriation.

1. Pump Information

MANUFACTURER	MODEL	SERIAL NUMBER	TYPE (CENTRIFUGAL, TURBINE OR SUBMERSIBLE)	INTAKE SIZE	DISCHARGE SIZE
American Turbine	HH 30	Unknown	Turbine	12"	12"

2. Motor Information

MANUFACTURER	HORSEPOWER
U.S. Electrical Motors	100

3. Theoretical Pump Capacity

HORSEPOWER	OPERATING PSI	LIFT FROM SOURCE TO PUMP *IF A WELL, THE WATER LEVEL DURING PUMPING	LIFT FROM PUMP TO PLACE OF USE	TOTAL PUMP OUTPUT (IN CFS)
100	25	138.7'	0.0'	3.48 CFS

4. Provide pump calculations:

See Attachment D for theoretical pump capacity calculations.

5. Measured Pump Capacity (using meter if meter was present and system was operating)

INITIAL METER READING	ENDING METER READING	DURATION OF TIME OBSERVED	TOTAL PUMP OUTPUT (IN CFS)
N/A			

Reminder: For pump calculations use the reference information at the end of this document.

B. Groundwater Source Information (Well and Sump)

1. Is the appropriation from a dug well (sump)?

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C. Additional notes or comments related to the system:

Well 3 (KLAM 10082)

A. POA System Information

Provide the following information concerning the point of appropriation. Information provided must describe the equipment used to appropriate water from the point of appropriation.

1. Pump Information

MANUFACTURER	MODEL	SERIAL NUMBER	TYPE (CENTRIFUGAL, TURBINE OR SUBMERSIBLE)	INTAKE SIZE	DISCHARGE SIZE
Worthington	132TDH	CS1510	Turbine	12"	12"

2. Motor Information

MANUFACTURER	HORSEPOWER
General Electric	100

3. Theoretical Pump Capacity

HORSEPOWER	OPERATING PSI	LIFT FROM SOURCE TO PUMP *IF A WELL, THE WATER LEVEL DURING PUMPING	LIFT FROM PUMP TO PLACE OF USE	TOTAL PUMP OUTPUT (IN CFS)
100	25	69.4'	0.0'	5.30 CFS

4. Provide pump calculations:

See Attachment D for theoretical pump capacity calculations.

5. Measured Pump Capacity (using meter if meter was present and system was operating)

INITIAL METER READING	ENDING METER READING	DURATION OF TIME OBSERVED	TOTAL PUMP OUTPUT (IN CFS)
N/A			

Reminder: For pump calculations use the reference information at the end of this document.

B. Groundwater Source Information (Well and Sump)

1. Is the appropriation from a dug well (sump)?

NO

C. Additional notes or comments related to the system:

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Change #3

Change in Place of Use

Did the transfer order authorize a change in the place of use?

YES

1. Claim Summary – Authorized Use:

If Irrigation or Nursery Use:

THE # OF ACRES ALLOWED	THE # OF ACRES DEVELOPED
Primary Irrigation	61.1
Supplemental Irrigation	12.5

If the new use(s) was not irrigation or nursery:

NEW USE(S)	WAS THE NEW PLACE OF USE DEVELOPED TO THE FULL EXTENT AUTHORIZED UNDER THE ORDER? (INCLUDE THE LOCATION OF THE DEVELOPED PLACE USE ON THE CLAIM MAP)
N/A	N/A

2. Variations:

Was the use developed differently from what was authorized by the transfer final order?

NO

If yes, describe below.

(e.g. "The order authorized a change in place of use for 40 acres. The water user only developed 38 acres.")

Change #4

Change in Character of Use

Did the transfer order authorize a change in character of use? **NO**

Change #5

Change in Character of Use – Reservoir

Did the transfer order authorize a change in character of use for a reservoir? **NO**

SECTION 4

CONDITIONS

All conditions contained in the transfer final order, or any extension final order shall be addressed. Reports that do not address all performance related conditions will be returned.

1. Time Limits:

Describe how the water user has complied with each of the development timelines established in the transfer final order and any extensions of time issued for the transfer:

	DATE FROM TRANSFER	DATE THE AUTHORIZED CHANGES WERE COMPLETED *THIS DATE MUST FALL BETWEEN THE "ISSUANCE DATE" AND THE "COMPLETENESS DATE"
ISSUANCE DATE	5/19/2021	
COMPLETENESS DATE FROM ORDER (C)	10/1/2022	7/21/2022

* MUST BE WITHIN PERIOD BETWEEN TRANSFER FINAL ORDER, OR ANY EXTENSION FINAL ORDER ISSUANCE AND THE DATE TO COMPLETE THE CHANGE

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2. Is there an extension final order(s)? **NO**

3. Measurement Conditions:

a. Does the transfer final order, or any extension final order require the installation of a meter or other approved measuring device? **YES**

Reminder: If a meter or approved measuring device was required, the COBU map must indicate the location of the device in relation to the point of appropriation.

b. Has a meter been installed? **YES**

c. Meter Information

POD/POA NAME OR #	MANUFACTURER	SERIAL #	CONDITION (WORKING OR NOT)	CURRENT METER READING	DATE INSTALLED
Well 2	McCrometer	18-03927-08	Working	206.451 Acre-Feet	2018
Well 3	McCrometer	18-05077-10	Working	68.729 Acre-Feet	2018

4. Recording and reporting conditions

a. Is the water user required to report the water use to the Department? **NO**

5. Fish Screening

a. Are any points of diversion required to be screened to prevent fish from entering the point of diversion? **NO**

6. By-pass Devices

a. Are any points of diversion required to have a by-pass device to prevent fish from entering the point of diversion? **NO**

7. Other conditions required by the transfer final order or extension final order:

a. Were there special well construction standards? **NO**

b. Was submittal of a ground water monitoring plan required? **NO**

c. Other conditions? **NO**

If "YES" to any of the above, identify the condition and describe the water user's actions to comply with the condition(s):

**SECTION 5
ATTACHMENTS**

Provide a list of any additional documents you are attaching to this report:

ATTACHMENT NAME	DESCRIPTION
Attachment A	Copy of Transfer Final Order T-13424
Attachment B	Claim of Beneficial Use Map on Mylar
Attachment C	Claim of Beneficial Use Map (paper copy)
Attachment D	Theoretical Pump Capacity Calculations
Attachment E	Well Logs KLAM 50445 & 10082
Attachment F	Copy of Klamath County Tax Assessors Map 37-10

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SECTION 6

CLAIM OF BENEFICIAL USE MAP

The Claim of Beneficial Use Map must be submitted with this claim. Claims submitted without the Claim of Beneficial Use map will be returned. The map shall be submitted on polyester film at a scale of 1" = 1320 feet, 1" = 400 feet, or the original full-size scale of the county assessor map for the location.

The changes that were authorized under the transfer final order must be mapped based on the developed locations; new or additional points of appropriation and place of use.

In cases where the order involved additional points of appropriation, the additional points should be mapped based on their developed locations. The original points of appropriation should be mapped based on the original right of record at the time the transfer final order was issued.

In cases where the order involved changing the place of use for a portion of a water right, the portion of the place of use being changed should be mapped based on the developed location. If the transfer also included portions of the place of use that were not being modified, but were receiving a new or additional point of appropriation, the place of use for those lands should be mapped based on the original right of record at the time the transfer final order was issued.

Provide a general description of the survey method used to prepare the map. Examples of possible methods include, but are not limited to, a traverse survey, GPS, or the use of aerial photos. If the basis of the survey is an aerial photo, provide the source, date, series and the aerial photo identification number.

This Claim of Beneficial Use Map was prepared from field measurements, NAIP 2022 aerial photography, Klamath County tax maps, and Oregon GLO maps.

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Map Checklist

Please be sure that the map you submit includes ALL the items listed below.
(Reminder: Incomplete maps and/or claims may be returned.)

- Map on polyester film
- Appropriate scale (1" = 400 feet, 1" = 1320 feet, or the original full-size scale of the county assessor map)
- Township, Range, Section, Donation Land Claims, and Government Lots
- If irrigation, number of acres irrigated within each projected Donation Land Claims, Government Lots, Quarter-Quarters
- N/A Locations of fish screens and/or fish by-pass devices in relationship to point of diversion
- Locations of meters and/or measuring devices in relationship to point of diversion or appropriation
- Conveyance structures illustrated (pumps, reservoirs, pipelines, ditches, etc.)
- Point(s) of diversion or appropriation (illustrated and coordinates)
- Tax lot boundaries and numbers
- Source illustrated if surface water
- Disclaimer ("This map is not intended to provide legal dimensions or locations of property ownership lines")
- Application and permit number or transfer number
- North arrow
- Legend
- CWRE stamp and signature

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ATTACHMENT A
Copy of Transfer Final Order T-13424

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**BEFORE THE WATER RESOURCES DEPARTMENT
OF THE
STATE OF OREGON**

In the Matter of Transfer Application) FINAL ORDER APPROVING A
T-13424, Klamath County) CHANGE IN POINT OF
) APPROPRIATION AND A CHANGE IN
) PLACES OF USE

Authority

Oregon Revised Statutes (ORS) 537.705 and 540.505 to 540.580 establish the process in which a water right holder may submit a request to transfer the point of appropriation, place of use, or character of use authorized under an existing water right. Oregon Administrative Rules (OAR) Chapter 690, Division 380 implement the statutes and provides the Department's procedures and criteria for evaluating transfer applications.

Applicant

JOSEPH L. HARTER, SUSAN M. HARTER, ANDY
HARTER AND KERRY HARTER
10902 SWAN LAKE RD
KLAMATH FALLS, OR 97063

Findings of Fact

1. On April 23, 2020, JOSEPH L. HARTER, SUSAN M. HARTER, ANDY HARTER AND KERRY HARTER filed an application to change the point of appropriation and place of use under Certificate 22847, and to change the places of use under Certificates 33176, 83328, 87897, and 88113. The Department assigned the application number T-13424.
2. Notice of the application for transfer was published on May 12, 2020, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.

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This final order is subject to judicial review by the Court of Appeals under ORS 183.482. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.482(1). Pursuant to ORS 536.075 and OAR 137-003-0675, you may petition for judicial review or petition the Director for reconsideration of this order. A petition for reconsideration may be granted or denied by the Director, and if no action is taken within 60 days following the date the petition was filed, the petition shall be deemed denied.

3. On December 29, 2020, the Department contacted the applicants by written correspondence to notify the applicants and the applicants' agent of deficiencies in the application. Aerial imagery identified structures located within the remaining right, that haven't been irrigated within the previous five years, and need to be removed. Clarification is also needed regarding the acres for supplemental irrigation that are changing place of use under Certificate 83328. The Department requested that the deficiencies be resolved by February 1, 2021. The applicant's agent submitted a revised map for Certificate 22847, and a revised Table 2 and map for Certificate 83328 the same day.
4. On January 4, 2021, the Department contacted the agent regarding the map for Certificate 22847. The acres for the remaining right was incorrectly identified. The agent submitted a revised map the same day.
5. On January 28, 2021, the Department mailed a copy of the draft Preliminary Determination proposing to approve Transfer Application T-13424 to the applicants. The draft Preliminary Determination cover letter set forth a deadline of March 1, 2021, for the applicants to respond. The applicants requested that the Department proceed with issuance of a Preliminary Determination and provided the necessary information to demonstrate that the applicant is authorized to pursue the transfer.
6. On March 18, 2021, the Department issued a Preliminary Determination proposing to approve Transfer T-13424 and mailed a copy to the applicant. Additionally, notice of the Preliminary Determination for the transfer application was published on the Department's weekly notice on March 23, 2021, and in the Klamath Falls Herald and News newspaper on March 26 and April 2, 2021 pursuant to ORS 540.520 and OAR 690-380-4020. No protests were filed in response to the notice.
7. The portion of the first right to be transferred is as follows:

Certificate: 22847 in the name of C. FRED COLLMAN (perfected under Permit U-250)
Use: IRRIGATION of 25.7 ACRES
Priority Date: AUGUST 2, 1948
Rate: 0.32 CUBIC FOOT PER SECOND
Limit/Duty: The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to ONE-EIGHTIETH of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 3 acre feet per acre for each acre irrigated during the irrigation season of each year.
Source: A WELL

Authorized Point of Appropriation:

Twp	Rng	Mer	Sec	Q-Q
37 S	10 E	WM	30	NE NW

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Authorized Place of Use:

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	Acres	Proposed Change
37 S	10 E	WM	30	NE NE	1.3	POU
37 S	10 E	WM	30	NW NE	2.2	POU/POA
37 S	10 E	WM	30	SW NE	9.3	POU/POA
37 S	10 E	WM	30	SW NE	0.9	POU
37 S	10 E	WM	30	SE NW	0.2	POU
37 S	10 E	WM	30	NW SE	3.3	POU
37 S	10 E	WM	30	NW SE	8.5	POU/POA
Total					25.7	

8. The Department received information from the applicant that better describes the location of the authorized point of diversion for Certificate 22847 as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
37 S	10 E	WM	30	NW NE	WELL 1 - 1250 FEET SOUTH AND 2560 FEET WEST FROM THE NE CORNER OF SECTION 30

9. Transfer Application T-13424 proposes to move the authorized point of appropriation as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances	Approximate distance from original point of appropriation in miles (mi.)
37 S	10 E	WM	19	SW NE	WELL 3 - 1630 FEET SOUTH AND 2220 FEET WEST FROM THE NE CORNER OF SECTION 19	0.9 mi.
37 S	10 E	WM	19	SE SW	WELL 2 - 670 FEET NORTH AND 2760 FEET WEST FROM THE SE CORNER OF SECTION 19	0.4 mi.

10. Transfer Application T-13424 also proposes to change the place of use of the right to:

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	Acres	POA
37 S	10 E	WM	19	SW NE	2.2	WELL 3
37 S	10 E	WM	19	NE SW	0.5	WELL 2
37 S	10 E	WM	19	NW SE	15.1	WELL 2
37 S	10 E	WM	19	SW SE	2.2	WELL 2
37 S	10 E	WM	30	NE NE	1.3	WELL 1
37 S	10 E	WM	30	NE SW	4.4	WELL 1
Total					25.7	

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11. The portion of the second right to be transferred is as follows:

Certificate: 33176 in the name of MILTON LINDER (perfected under Permit S-21482)
Use: IRRIGATION of 12.5 ACRES
Priority Date: JUNE 12, 1952
Rate: 0.31 CUBIC FOOT PER SECOND

Limit/Duty: The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to ONE-FORTIETH of one cubic foot per second per acre, or its equivalent for each acre irrigated from direct flow and shall be further limited to a diversion of not to exceed 2.5 acre-feet per acre for each acre irrigated during the irrigation season of each year from direct flow and storage from reservoir constructed under Permit number R-801.

Source: ANDERSON CREEK and RESERVOIR CONSTRUCTED UNDER APPLICATION NO. R-20521, PERMIT NO. R-801, a tributary of SWAN LAKE

Authorized Point of Appropriation:

Twp	Rng	Mer	Sec	Q-Q
37 S	9 E	WM	23	NE SW
37 S	10 E	WM	19	SW NE

Authorized Place of Use:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
37 S	10 E	WM	19	SE NE	2.3
37 S	10 E	WM	19	NE SE	10.2
Total					12.5

12. The Department received information from the applicant that better describes the location of the authorized points of diversion for Certificate 33176 as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
37 S	9 E	WM	23	NE SW	POD 2 - 2530 FEET NORTH AND 2380 FEET EAST FROM THE SW CORNER OF SECTION 23
37 S	10 E	WM	19	SW NE	POD 1 - 2520 FEET SOUTH AND 2100 FEET WEST FROM THE NE CORNER OF SECTION 19

13. Transfer Application T-13424 proposes to change the place of use of the right to:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
37 S	10 E	WM	19	SE NE	2.3
37 S	10 E	WM	19	SE NE	2.8
37 S	10 E	WM	20	SW NW	3.0
37 S	10 E	WM	20	NE SW	0.5
37 S	10 E	WM	20	NW SW	3.9
Total					12.5

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14. The portion of the third right to be transferred is as follows:

Certificate: 83328 in the name of JELD WEN T AND R (perfected under Permit G-11432)
Use: PRIMARY IRRIGATION of 13.3 ACRES and SUPPLEMENTAL IRRIGATION of 12.5 ACRES
Priority Date: SEPTEMBER 13, 1990
Rate: 0.32 CUBIC FOOT PER SECOND

Limit/Duty: The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second, or its equivalent for each acre irrigated, and shall be further limited to a diversion of not to exceed 3.0 acre-feet per acre for each acre irrigated during the irrigation season of each year.

Source: A WELL in SWAN LAKE BASIN

Authorized Point of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
37 S	10 E	WM	19	SW NE	1590 FEET SOUTH AND 2200 FEET WEST FROM THE NE CORNER OF SECTION 19

Authorized Place of Use:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
37 S	10 E	WM	19	SE NE	5.1
37 S	10 E	WM	19	NW SE	0.8
37 S	10 E	WM	20	SW NW	3.0
37 S	10 E	WM	20	NE SW	0.5
37 S	10 E	WM	20	NW SW	3.9
Total					13.3

SUPPLEMENTAL IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
37 S	10 E	WM	19	SE NE	2.3
37 S	10 E	WM	19	NE SE	10.2
Total					12.5

15. Transfer Application T-13424 proposes to change the place of use of the right to:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
37 S	10 E	WM	19	SW NE	0.8
37 S	10 E	WM	19	SE NE	2.3
37 S	10 E	WM	19	NE SE	10.2
Total					13.3

SUPPLEMENTAL IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
37 S	10 E	WM	19	SE NE	5.1
37 S	10 E	WM	20	SW NW	3.0
37 S	10 E	WM	20	NE SW	0.5
37 S	10 E	WM	20	NW SW	3.9
Total					12.5

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16. The portion of the fourth right to be transferred is as follows:

Certificate: 87897 in the name of RLF KLAMATH PROPERTIES LLC (perfected under Permit G-13725)

Use: IRRIGATION of 2.2 ACRES

Priority Date: JANUARY 7, 1999

Rate: 0.03 CUBIC FOOT PER SECOND

Limit/Duty: The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second (or its equivalent) and 3 acre-feet per acre for each acre irrigated during the irrigation season of each year.

Period of Use: MAY 1 THROUGH SEPTEMBER 30

Source: A WELL (KLAM 50445) in the SWAN LAKE BASIN

Authorized Point of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
37 S	10 E	WM	19	SE SW	(KLAM 50445) 720 FEET NORTH AND 240 FEET WEST FROM THE S1/4 CORNER OF SECTION 19

Authorized Place of Use:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
37 S	10 E	WM	19	SW SE	2.2

17. Transfer Application T-13424 proposes to change the place of use of the right to:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
37 S	10 E	WM	19	NW SE	2.2

18. The portion of the fifth right to be transferred is as follows:

Certificate: 88113 in the name of RLF KLAMATH PROPERTIES, LLC (perfected under Permit G-12865)

Use: IRRIGATION of 22.1 ACRES

Priority Date: FEBRUARY 27, 1995

Rate: 0.276 CUBIC FOOT PER SECOND

Limit/Duty: The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second, or its equivalent for each acre irrigated, and shall be further limited to a diversion of not to exceed 3 acre-feet per acre for each acre irrigated during the irrigation season of each year.

Period of Use: MARCH 1 THROUGH OCTOBER 31

Source: A WELL in the KLAMATH BASIN

Authorized Point of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
37 S	10 E	WM	30	NE NW	1250 FEET SOUTH AND 40 FEET WEST FROM THE N1/4 CORNER OF SECTION 30

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Authorized Place of Use:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
37 S	10 E	WM	30	NE NE	1.3
37 S	10 E	WM	30	SE NW	0.9
37 S	10 E	WM	30	NE SW	2.1
37 S	10 E	WM	30	NE SE	17.8
Total					22.1

19. Transfer Application T-13424 also proposes to change the place of use of the right to:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
37 S	10 E	WM	30	NE NE	1.3
37 S	10 E	WM	30	SW NE	9.3
37 S	10 E	WM	30	SE NW	1.1
37 S	10 E	WM	30	NE SW	1.9
37 S	10 E	WM	30	NW SE	8.5
Total					22.1

Transfer Review Criteria (OAR 690-380-4010)

20. Water has been used within the last five years according to the terms and conditions of the rights. There is no information in the record that would demonstrate that the rights are subject to forfeiture under ORS 540.610.
21. A pump, pipeline, and sprinkler system sufficient to use the full amount of water allowed under the existing rights were present within the five-year period prior to submittal of Transfer Application T-13424.
22. The proposed changes would not result in enlargement of the rights.
23. The proposed changes would not result in injury to other water rights.
24. All other application requirements are met.

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Conclusions of Law

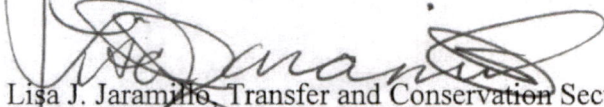
The change in point of appropriation and change in places of use proposed in Transfer Application T-13424 are consistent with the requirements of ORS 537.705 and 540.505 to 540.580 and OAR 690-380-5000.

Now, therefore, it is ORDERED:

1. The change in point of appropriation and change in places of use proposed in Transfer Application T-13424 are approved.
2. The right to the use of the water is restricted to beneficial use at the place of use described, and is subject to all other conditions and limitations contained in Certificates 22847, 33176, 83328, 87897, and 88113, and any related decree.

3. Water right Certificates 22847, 33176, 83328, 87897, and 88113 are cancelled. New certificates will be issued describing those portions of the rights not affected by this transfer.
4. The quantity of water, as authorized under Certificate 22847, diverted at the new points of appropriation (Well 2 and Well 3), shall not exceed the quantity of water lawfully available at the original point of appropriation (Well 1).
5. Water use measurement conditions:
 - a. Before water use may begin under this order, the water user shall install a totalizing flow meter, or, with prior approval of the Director, another suitable measuring device, at each point of appropriation (new and existing).
 - b. The water user shall maintain the meters or measuring devices in good working order.
 - c. The water user shall allow the Watermaster access to the meters or measuring devices; provided however, where the meters or measuring devices are located within a private structure, the Watermaster shall request access upon reasonable notice.
6. Water shall be acquired from the same aquifer (water source) as the original point of appropriation.
7. The former places of use of the transferred rights shall no longer receive water under the rights.
8. Full beneficial use of the water shall be made, consistent with the terms of this order, on or before **October 1, 2022**. A Claim of Beneficial Use prepared by a Certified Water Right Examiner shall be submitted by the applicant to the Department within one year after the deadline for completion of the changes and full beneficial use of the water.
9. After satisfactory proof of beneficial use is received, new certificates confirming the rights transferred will be issued.

Dated in Salem, Oregon on **MAY 19 2021**


Lisa J. Jaramillo, Transfer and Conservation Section Manager, for
THOMAS M BYLER, DIRECTOR
Oregon Water Resources Department

Mailing date: **MAY 20 2021**

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ATTACHMENT B
Claim of Beneficial Use Map on Mylar

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ATTACHMENT C
Claim of Beneficial Use Map (paper copy)

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ATTACHMENT D
Theoretical Pump Capacity Calculations

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Pump Capacity Calculation Sheet

using Department designed formula:

$$(\text{hp})(\text{efficiency}) / (\text{lift} + \text{psi head}) = \text{capacity in cfs}$$

Efficiency:

Centrifugal = 6.61

Turbine = 7.04

Data Entry (fill in underlined blanks)

HP = 100
Efficiency = 7.04
Lift = 138.7
PSI = 25

Results Calculated

(hp)(efficiency) = 704
Head based on psi = 63.5
Total dynamic head = 202.2
(head + lift)

Pump Capacity = 3.48 cubic feet per second

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Pump Capacity Calculation Sheet

using Department designed formula:

$$(\text{hp})(\text{efficiency}) / (\text{lift} + \text{psi head}) = \text{capacity in cfs}$$

Efficiency:

Centrifugal = 6.61

Turbine = 7.04

Data Entry (fill in underlined blanks)

HP = 100
Efficiency = 7.04
Lift = 69.4
PSI = 25

Results Calculated

(hp)(efficiency) = 704
Head based on psi = 63.5
Total dynamic head = 132.9
(head + lift)

Pump Capacity = 5.30 cubic feet per second

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ATTACHMENT E
Well Logs KLAM 50445 & 10082

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KLAM 10082

WATER WELL REPORT

STATE OF OREGON

AUG 17 1989

JUL 28 1989

State Well No. 375/106/19 ad

State Permit No.

KLAM 10082
G-12228

WATER RESOURCES DEPARTMENT or PRINT IN INK
SALEM, OREGON

(1) OWNER:

Name Jeld-Wen Inc.
Address 1344 Lake Park Blvd.
City Klamath Falls State OR

(2) TYPE OF WORK (check):

New Well Deepening Reconditioning Abandon

If abandonment, describe material and procedure in Item 12.

(3) TYPE OF WELL:

Rotary Air Driven
Rotary Mud Dug
 Bored

(4) PROPOSED USE (check):

Domestic Industrial Municipal
Irrigation Test Well Other
Thermal: Withdrawal ReInjection

CASING INSTALLED:

Steel Plastic
Threaded Welded
10" Diam. from +1 ft. to 19 ft. Gauge 250
14" Diam. from ft. to ft. Gauge

LINER INSTALLED:

14" Diam. from +1 ft. to 321 ft. Gauge 250

(6) PERFORATIONS:

Perforated? Yes No

Type of perforator used

Size of perforations 3/16 in. by 3 in.
3240 perforations from 79 ft. to 199 ft.
..... perforations from ft. to ft.
..... perforations from ft. to ft.

(7) SCREENS:

Well screen installed? Yes No

Manufacturer's Name

Type Model No.

Diam. Slot Size Set from ft. to ft.

Diam. Slot Size Set from ft. to ft.

(8) WELL TESTS:

Drawdown is amount water level is lowered below static level

Was a pump test made? Yes No If yes, by whom? Valley Pump
ad: 2800 gal./min. with 42 ft. drawdown after 3 hrs.

Air test gal./min. with drill stem at ft. hrs.
Bailer test gal./min. with ft. drawdown after hrs.
Artesian flow g.p.m.
Temperature of water 48° Depth artesian flow encountered ft.

(9) CONSTRUCTION:

Special standards: Yes No

Well seal—Material used Portland Cement
Well sealed from land surface to 19 ft.
Diameter of well bore to bottom of seal 20 in.
Diameter of well bore below seal 15 in.
Number of sacks of cement used in well seal 30 sacks
How was cement grout placed? poured

Was pump installed? NO Type HP Depth ft.

Was a drive shoe used? Yes No Plugs NO Size: location ft.

Did any strata contain unusable water? Yes No

Type of Water? depth of strata

Method of sealing strata off

Was well gravel packed? Yes No Size of gravel:

Gravel placed from ft. to ft.

(10) LOCATION OF WELL:

County Klamath Driller's well number

S.E. 1/4 NE 1/4 Section 19 T. 375 R. 10E W.M.

Tax Lot # Lot Blk Subdivision

Address at well location: Whiteline Ranch (Swan Lake)
Rt 2, Box 809-11 K Falls OR 97603

(11) WATER LEVEL: Completed well.

Depth at which water was first found 61 ft.
Static level 48'9" ft. below land surface. Date 2/28/89
Artesian pressure lbs. per square inch. Date

(12) WELL LOG:

Diameter of well below casing 15"

Depth drilled 320 ft. Depth of completed well 320 ft.

Formation: Describe color, texture, grain size and structure of materials; and show thickness and nature of each stratum and aquifer penetrated, with at least one entry for each change of formation. Report each change in position of Static Water Level and indicate principal water-bearing strata.

MATERIAL	From	To	SWL
sandstone (grey)	9	14	
Rock-lava (dark)	14	17	
sandstone	17	51	
shale grey	51	53	
sandstone / cinders (dark)	53	73	39
Rock-lava	73	76	
alterate lava / hard packed cinders	76	143	48
sandstone	143	146	
cinders / sand (hard)	146	190	
Lava (black)	190	196	WIS
clay (grey)	196	224	
clay & layers of coarse sd.	224	235	
hard clay (grey)	235	265	
shale (grey) (hard)	265	280	
sand stone	280	295	
dark sd / white pumice	295	310	
clay	310	320	

Work started 1/16 19 89 Completed 7/12 19 89
Date well drilling machine moved off of well 19

(unbonded) Water Well Constructor Certification (if applicable):

This well was constructed under my direct supervision. Materials used and information reported above are true to my best knowledge and belief.
[Signed] Clyde E. Hill Date 7/23, 19 89

Bonded Water Well Constructor Certification:

Bond 2350 83 Issued by: Employers Ins. of
045586 Wasson Pacific Co.

This well was drilled under my jurisdiction and this report is true to the best of my knowledge and belief.

Name Clyde E. Hill (Type or print)

Address P.O. Box 1, Dairy Ore

[Signed] Clyde E. Hill Water Well Constructor

Date 7/23, 19 89

NOTICE TO WATER WELL CONSTRUCTOR
The original and first copy of this report are to be filed with the

WATER RESOURCES DEPARTMENT,
SALEM, OREGON 97310
within 30 days from the date of well completion.

SP#45292-890

SEP 16 2022

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KLAM 50445

KLAM 50445

375/105/19 CD

LO8646

STATE OF OREGON WATER WELL REPORT (as required by ORS 537.765)

(START CARD) # 22384

(1) OWNER: Well Number: LO8646 Name: Jeld Wen ine Address: P.O. Box 5079 City: Klamath Falls, State: Ore Zip: 97601

(2) TYPE OF WORK: [] New Well [X] Deepen [] Recondition [] Abandon

(3) DRILL METHOD: [] Rotary Air [] Rotary Mud [X] Cable [] Other

(4) PROPOSED USE: [] Domestic [] Community [] Industrial [X] Irrigation [] Thermal [] Injection [] Other

(5) BORE HOLE CONSTRUCTION: Special Construction approval Yes No [] [X] Depth of Completed Well 220 ft. Explosives used [] [X] Type Amount

Table with columns: HOLE Diameter, SEAL Material, Amount sacks or pounds. Row 1: 8.5, 220, [], [], []

How was seal placed: Method [] A [] B [] C [] D [] E [] Other Backfill placed from ft. to ft. Material Gravel placed from ft. to ft. Size of gravel

(6) CASING/LINER: Table with columns: Diameter, From, To, Gauge, Steel, Plastic, Welded, Threaded. Casing: 18", #1, 26", 250, [X], [], [], []. Liner: 12", +6", 220", 188, [X], [], [X], []

Final location of shoe(s)

(7) PERFORATIONS/SCREENS: [X] Perforations Method: Mills Knife [] Screens Type Material

Table with columns: From, To, Slot size, Number, Diameter, Tele/pipe size, Casing, Liner. Row 1: 80', 220', 3/16", 13/8", 12", 188 R.p.e., [], [X]

(8) WELL TESTS: Minimum testing time is 1 hour [X] Pump [] Bailer [] Air [] Flowing Artesian Yield gal/min: 1800 Drawdown: 5'3" (126") Drill stem at: 150' Time: 4 hrs

Temperature of water 48° Depth Artesian Flow Found Was a water analysis done? [] Yes By whom Did any strata contain water not suitable for intended use? [] Too little [] Salty [] Muddy [] Odor [] Colored [] Other Depth of strata:

(9) LOCATION OF WELL by legal description: County: Klamath Latitude Longitude Township: 37 N of S Range: 10 E or W, WM. Section: 19 SE 1/4 SW 1/4 Tax Lot: 3700 Lot Block Subdivision Street Address of Well (or nearest address): End of Collman Rd.

(10) STATIC WATER LEVEL: 73' ft. below land surface. Date: 8/9/96 Artesian pressure lb. per square inch. Date

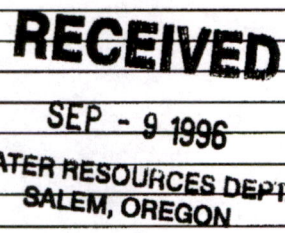
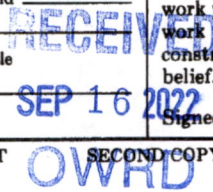
(11) WATER BEARING ZONES: Table with columns: From, To, Estimated Flow Rate, SWL. Row 1: 118', 165', [], 73'

(12) WELL LOG: Ground elevation Approx. 4230'. Table with columns: Material, From, To, SWL. Row 1: dark grey-black hard packed cinders to softer layers of same, 95' 220' 73'

Date started 6/17/96 Completed 8/9/96

(unbonded) Water Well Constructor Certification: I certify that the work I performed on the construction, alteration, or abandonment of this well is in compliance with Oregon well construction standards. Materials used and information reported above are true to my best knowledge and belief. Signed: Date WWC Number

(bonded) Water Well Constructor Certification: I accept responsibility for the construction, alteration, or abandonment work performed on this well during the construction dates reported above. all work performed during this time is in compliance with Oregon well construction standards. This report is true to the best of my knowledge and belief. Signed: Clyde E. Fife Date 8/21/96 WWC Number 807



ATTACHMENT F
Copy of Klamath County Tax Assessors Map
37-10

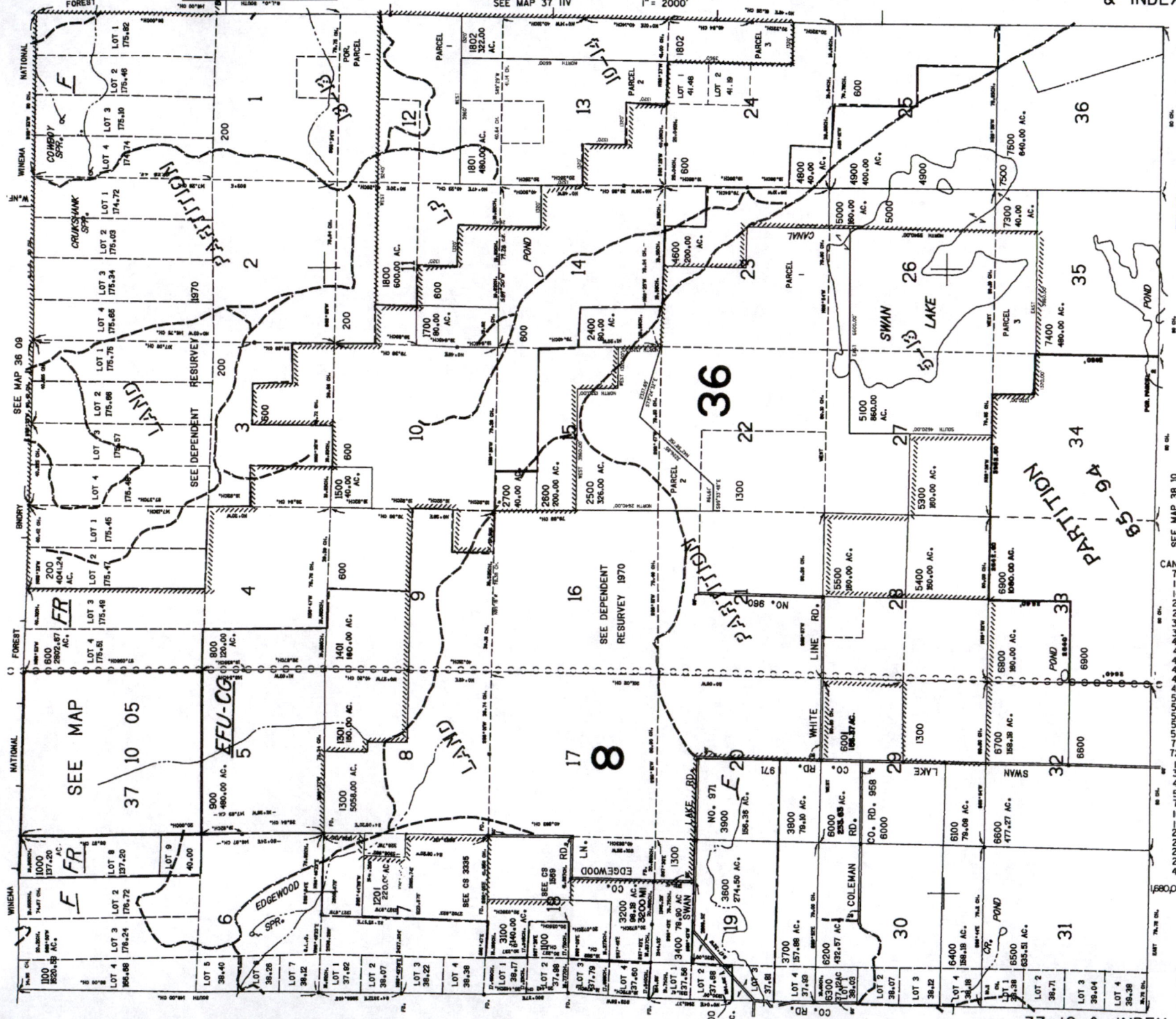
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REVISED 03-11-15
THIS MAP WAS PREPARED FOR
ASSESSMENT PURPOSE ONLY

T.37S. R.10E. W.M.
KLAMATH COUNTY
1" = 2000'

240.000

37 10
& INDEX



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- CANCELLED
- 7000
 - 1200
 - 1400
 - 2800
 - 2900
 - 3000
 - 3500
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 - 4200
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 - 5200
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 - 7100
 - 7200
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 - 400
 - 500
 - 1500
 - 1600
 - 1900
 - 2000
 - 2100
 - 2200
 - 2300
 - 4700

37 10 & INDEX

SEE MAP 37 09

SEE MAP 38 10

SEE MAP 36 08

SEE MAP
37 10 05

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PARTITION

1870
PARTITION

SEE MAP 37 IIV

10-11

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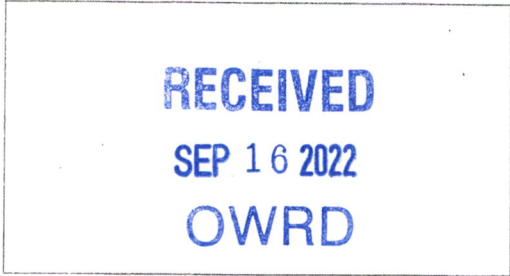
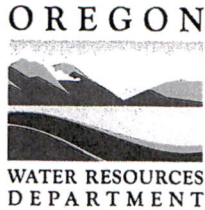
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Date Received (Date Stamp Here)

OWRD Over-the-Counter Submission Receipt

Applicant Name(s) & Address: Joseph, Susan, Andrew & Kerry Harter
10902 Swan Lake RD, Klamath Falls OR 97603

Transaction Type: Cobu

Fees Received: \$ 130.00

Cash Check: Check No. 1544

Name(s) on Check: Whiteline Farms

Thank you for your submission. Oregon Water Resources Department (Department) staff will review your submittal as soon as possible.

If your submission is determined to be complete, you will receive a receipt for the fees paid and an acknowledgement letter stating your submittal is complete.

If determined to be incomplete, your submission and the accompanying fees will be returned with an explanation of deficiencies that must be addressed in order for the submittal to be accepted.

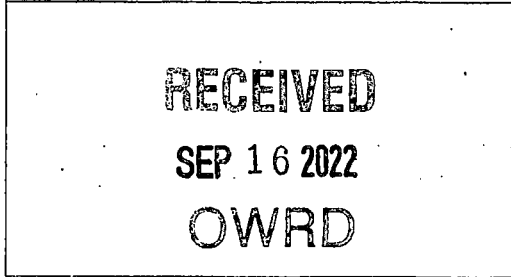
If you have any questions, please feel free to contact the Department's Customer Service staff at 503-986-0801 or 503-986-0810.

Sincerely,
OWRD Customer Service Staff

Submission received by: Covie L.
(Name of OWRD staff)

Instructions for OWRD staff:

- Complete this Submission Receipt and make two (2) copies. Place one copy with the check/cash; and place the other copy with the submission (*i.e., the application or other document*).
- Date-stamp all pages. (*NOTE: Do not stamp check.*)
- Give this original Submission Receipt to the applicant.
- Record Submission Receipt information on the "RECEIVED OVER THE COUNTER" log sheet.
- Fold and put one copy of the Submission Receipt with check/cash into the Safe slot. Place the other copy of the Submission Receipt with submission (*application/other document*) in the top drawer of filing cabinet.



Date Received (Date Stamp Here)

OWRD Over-the-Counter Submission Receipt

Applicant Name(s) & Address: Joseph, Susan, Andrew & Kerry Heister
10902 Swan Lake RD, Klamath Falls OR 97603

Transaction Type: Cobu

Fees Received: \$ 230.00

Cash Check: Check No. 1544
Name(s) on Check: Whiteline Farms

Thank you for your submission. Oregon Water Resources Department (Department) staff will review your submittal as soon as possible.

If your submission is determined to be complete, you will receive a receipt for the fees paid and an acknowledgement letter stating your submittal is complete.

If determined to be incomplete, your submission and the accompanying fees will be returned with an explanation of deficiencies that must be addressed in order for the submittal to be accepted.

If you have any questions, please feel free to contact the Department's Customer Service staff at 503-986-0801 or 503-986-0810.

Sincerely,
OWRD Customer Service Staff

Submission received by: Corie L.
(Name of OWRD staff)

Instructions for OWRD staff:

- Complete this Submission Receipt and make two (2) copies. Place one copy with the check/cash; and place the other copy with the submission (i.e., the application or other document).
- Date-stamp all pages. (NOTE: Do not stamp check.)
- Give this original Submission Receipt to the applicant.
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